



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schmitt, et al.

Examiner: Jackson, S.

Serial No.: 09/464,610

Group Art Unit: 3738

Filed: December 15, 1999

Docket: 498-53 CON/RES

For: THINLY WOVEN
FLEXIBLE GRAFT

Dated: June 12, 2001

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Commissioner for Patents
Washington, DC 20231

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REISSUE DECLARATION

Sir:

I, Jose F. Nunez, declare that I am a citizen of the United States and a resident of St. Anthony, Minnesota, and:

I, Peter J. Schmitt, declare that I am a citizen of the United States and a resident of Garnerville, New York, and:

that every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose with any deceptive intention on the part of the applicant.

We declare that all statements made herein of our own knowledge are true, and that all statements made upon information and belief are believed to be true and further, that these statements were made after being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such false statements may jeopardize the validity of this application or any patent issuing thereon.

Peter J. Schmitt

Inventor's Signature

Date

2 Bubenko Drive, Garnerville, NY 10923

Residence

Jose F. Nunez


Inventor's Signature

06-21-01

Date

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ROBERT M. RODRICK

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June 12, 2001

Mr. Peter Schmitt
2 Bubenko Drive
Garnerville, NY 10923

Mr. Jose Nunez
2804 Silver Lane
Apt. 209
St. Anthony, MN 55421

Re: Reissue Patent Application No.: 09/464,610
THINLY WOVEN FLEXIBLE GRAFT
Boston Scientific Vascular
Your Reference: 94-P0265CON RES
Our Docket: 498-53 CON/RES

Gentlemen:

Believe it or not, we are still working on the application to the Thinly Woven Graft. We are about to obtain allowance of this application, but before we can do so we need an additional document executed. This document is a supplemental Reissue Declaration and it acknowledges that any errors which we identified during prosecution of this application were made without any deceptive intent. This declaration is substantially similar to the declaration which you previously executed.

We ask that you execute this declaration where indicated and return it to us as soon as possible.

Very truly yours,


Salvatore J. Abbruzzese

SJA/dos
Enclosure

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KILPATRICK STOCKTON LLP

July 17, 2001

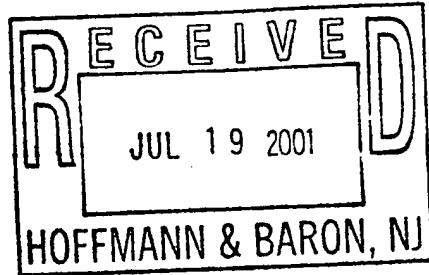
Salvatore J. Abbruzzese, Esq.
Hoffmann & Baron, LLP
1055 Parsippany Blvd.
Parsippany, NJ 07054

Re: USSN: 09/464,610
Filed: 12/16/99
Title: Thinly Woven Flexible Graft
Applicants: Schmitt et al

498-3 CON/RE 5

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Dear Mr. Abbruzzese:

I am writing to confirm that we have advised Mr. Peter J. Schmitt not to execute the Supplemental Reissue Declaration for the above-identified application.

Very truly yours,

Charles W. Calkins

CWC:tes

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For: THINLY WOVEN FLEXIBLE
GRAFT

Date: July 27, 2001

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20231, on July 27, 2001

Signature

Commissioner for Patents
Washington, DC 20231

**DECLARATION OF SALVATORE J. ABBRUZZESE
AS TO LOSS OF LETTERS PATENT**

Sir:

1. I am a partner at the law firm of Hoffmann & Baron, LLP (hereinafter "Hoffmann & Baron" or "the firm") who represent the Applicant in the above-identified matter. I work at the Hoffmann & Baron offices located at 1055 Parsippany Boulevard, Parsippany, New Jersey 07054. I have been employed at Hoffmann & Baron, LLP for the last eight years as a patent attorney.
2. I am making this declaration in support of the accompanying declaration as to loss of Letters Patent.

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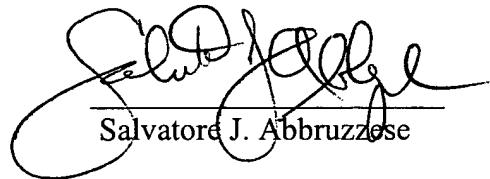
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3. I have personally reviewed the file jacket for the above-referenced matter. After careful review I conclude that the Letters Patent is not contained within the file jacket assigned to this matter.

4. I have also contacted our client and have been informed that after a search of its records the Letters Patent could not be found.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Dated this 27 day of July, 2001



Salvatore J. Abbruzzese

JUL 30 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant: Schmitt et al.Application No.: 09/464,610Filed: December 15, 1999Entitled: THIN WOVEN FLEXIBLE GRAFTMeadox Medicals, Inc.

(Name of Assignee)

, a New Jersey corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7111, Frame 0834, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____ or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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Additional documents in the chain of title are listed on a supplemental sheet.

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June 25, 2001
Date



Signature

Paul Schmitt

Typed or printed name

General Counsel

Title